

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

**IN RE: EXACTECH
POLYETHYLENE ORTHOPEDIC
PRODUCTS LIABILITY LITIGATION**

**MDL No. 3044
Case No. 22-md-3044 (NGG) (MMH)**

THIS DOCUMENT APPLIES TO:

ALL CASES

CASE MANAGEMENT ORDER NO. 5

On December 12, 2022, the Court entered a docket text order granting Plaintiffs' Motion (ECF #46) to appoint leadership counsel to act on behalf of the Plaintiffs in the Exactech Polyethylene Orthopedic Products Liability Litigation. The responsibilities of Plaintiffs' Leadership is outlined in Plaintiffs' Motion (ECF # 46). On May 19, 2023, the Court entered Case Management Order No. 4, modifying Plaintiffs' leadership structure (ECF #269). There is now a request to substitute two committee appointments for other attorneys within the same firm, which is acceptable to the Court and to the Plaintiffs' Executive Committee. There is also a request to remove Amanda Fernandez from the discovery committee as she withdrew as counsel in this action.

I. Executive Committee

1. Kirk Pope - Co-Lead Counsel
2. Ellen Relkin- Co-Lead Counsel
3. David Landever
4. Carasuana B. Wall
5. Calvin Warriner

II. Liaison Counsel – Rayna Kessler

III. Federal/State Liaison Counsel– Joseph Saunders

IV. Plaintiffs' Steering Committee Members:

1. Mark P. Chalos
2. Michael P. Cutler
3. Maria Fleming
4. Matthew McCarley of the firm Forester Haynie, PLLC (substituting for Arati Chauhan Furness who has resigned from Forester Haynie, PLLC)
5. Jason Goldstein
6. David Harman
7. Kristine K. Kraft
8. Hadley Lundback
9. Ben C. Martin
10. Tim O'Brien
11. Justin Presnal
12. Patrick J. Wigle

V. Subcommittee Members (Law and Briefing, Science and Experts, Discovery, Bellwether):

1. Cameron J. Falcon
2. Kevin M. Fitzgerald
3. Danielle Gold
4. George E. McLaughlin
5. Courtney L. Mohammadi
6. Joannah Oh
7. Craig M. Silverman
8. Eli A. Fuchsberg of the firm Jacob D. Fuchsberg Law Firm, LLP (substituting for Ilana Wolk who has resigned from the Jacob D. Fuchsberg Law Firm, LLP)

IT IS SO ORDERED.

Dated: Brooklyn, NY

August 31, 2023


The Honorable Marcia M. Henry
United States Magistrate Judge